



**Commonwealth of Massachusetts**  
**Executive Office of Health and Human Services**  
**Office of Medicaid**  
[www.mass.gov/masshealth](http://www.mass.gov/masshealth)

## **Independent Nurse Bulletin 18**

**DATE:** April 2024

**TO:** Independent Nurses Participating in MassHealth

**FROM:** Mike Levine, Assistant Secretary for MassHealth

**RE:** **Limit of Hour Allowances for Independent Nurses - Corrected**

### **Introduction**

This bulletin updates the limit for continuous skilled nursing (CSN) hours an independent nurse may provide in a 24-hour period as established at 130 CMR 414.409(C): *Limit of Hours*.

All CSN services must be delivered in accordance with all applicable program requirements and regulations as set forth in 130 CMR 414.000: *Independent Nurse*.

### **Current Independent Nurse Limit of Hours**

MassHealth does not pay an independent nurse for more than 60 hours of nursing care provided during any consecutive seven-day period, or for more than 12 hours within a 24-hour period, regardless of the number of MassHealth members receiving care from the independent nurse.

### **Expanded Independent Nurse Limit of Hours Within a 24-Hour Period**

As of April 24, 2024, an independent nurse may be reimbursed for up to 16 hours within a 24-hour period under the following circumstances.

- (1) In an emergency, where no other paid or unpaid trained caregiver is available to care for the member. In this case,
  - (a) An independent nurse may work up to 16 hours within a 24-hour period provided that the member has CSN hours authorized and available for use; and
  - (b) The independent nurse must notify the MassHealth agency or its designee by the next business day and provide the reason for working more than 12 hours within a 24-hour period.
- (2) When the MassHealth member or their representative has provided written or verbal confirmation to MassHealth or its designee that they approve the independent nurse to work up to 16 hours within a 24-hour period, including the length of time they are requesting, as long as

- (a) the independent nurse does not work for another member or employer during the remaining 8 hours of the same 24-hour period in which they work up to 16 hours; and
- (b) the independent nurse submits a signed attestation to MassHealth or its designee affirming that they will not work or seek alternative employment for the remaining 8 hours of the same 24-hour period.

MassHealth will update the independent nurse provider regulations to reflect this change.

## **Documentation Requirements and Noncompliance**

In accordance with 130 CMR 414.417(C), independent nurses must participate in any utilization review and provider review and audit processes requested by MassHealth. Independent nurses must also maintain a record that complies with 130 CMR 414.000 for each MassHealth member they serve. Independent nurses who do not adhere to the requirements in this bulletin may be subject to sanction in accordance with 130 CMR 450.238: *Sanctions: General*.

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## **Questions**

If you have questions about the information in this bulletin, please contact:

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